

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST LITIGATION

Case No. 18-cv-1776 (JRT/HB)

This document relates to: All Actions

ORDER

HILDY BOWBEER, United States Magistrate Judge

The Court has determined that it would be appropriate to include some limited opportunity for relevance redactions in the ESI Protocol being negotiated by the parties, and invites the parties to provide input on the following proposed language for paragraphs II(G) and II(K)(2):

II(G): Entire Document Families: Subject to Paragraphs II(K)(1) and II(K)(2) below, entire document families must be produced even if only the parent email or an attachment to an email is responsive, excepting (1) junk files and non-user-created content routinely excluded during processing (provided such routine processing-generated exclusions are agreed to among the parties), and (2) documents that are withheld on the basis of privilege and in compliance with the parties' stipulation or the Court's order on such assertions of privilege.

II(K)(1): [agreed language in the draft protocol regarding personal information]

II(K)(2): Redactions of Nonresponsive Highly Confidential Business Information: A producing Party may redact specific highly confidential business information relating to non-pork businesses provided (1) the redacted information is both nonresponsive and irrelevant; (2) the redacted information would not assist in understanding or providing context for the relevant portion of the document or document family of which it is a part; and (3) the remainder of the document of which it is a part is not designated Highly Confidential – Subject to Protective Order. Such redactions must be identified as "Redacted – Highly Confidential Nonresponsive Information."

The parties may submit their positions in letters not to exceed two pages filed on ECF on or before **December 10, 2018**, but are encouraged to meet and confer in advance of filing their letters. The letters should not reargue the underlying question of whether relevance redactions should be permitted, but rather whether the language proposed above could be further refined to better describe the limited circumstances under which such redactions would be permitted.

IT IS SO ORDERED.

Dated: November 29, 2018

s/ *Hildy Bowbeer*
HILDY BOWBEER
United States Magistrate Judge